



U.S. Department of Justice

United States Attorney
Southern District of New York

50 Main Street, Suite 1100
White Plains, New York 10606

June 27, 2024

BY ECF AND EMAIL

The Honorable Cathy Seibel
United States District Judge
Southern District of New York
United States Courthouse
300 Quarropas Street
White Plains, New York 10601

Re: *United States v. Eric Walker*, 21 Cr. 459 (CS)

Dear Judge Seibel:

We write to provide an update on the Government's June 18, 2024 request (ECF No. 39) to briefly adjourn the violation of supervised release ("VOSR") hearing scheduled for July 10, 2024, and to renew that request.

At the Court's suggestion (*see* ECF No. 40), with the goal of maintaining the currently scheduled hearing date and pre-hearing deadlines, the Government has ensured appropriate AUSA coverage for the hearing if it goes forward on July 10. Nonetheless, the ransomware attack on the City of Newburgh continues to impede the Government's ability to obtain necessary evidence from Newburgh's law enforcement systems. As of this afternoon, the systems needed to obtain necessary evidence for the hearing remain offline. We understand that Newburgh does not have an estimate as to when the systems will be accessible, but the Government remains hopeful that we will receive the relevant materials within the next week. As soon as the Government is able to receive the relevant material, the Government will, of course, promptly review these materials and prepare appropriate materials for disclosure.

For these reasons, the Government respectfully requests a brief adjournment of the VOSR hearing date and pre-hearing exhibit and 3500 deadlines. Based on the Government's communications with Mr. Wallenstein, the Government understands that he cannot consent to an adjournment but is available on July 22. That date would also work for the Government. Should the Court reschedule the hearing for that date, the Government would respectfully propose a deadline of July 12 for the Government to produce exhibits and July 17 for the Government to produce 3500 material. In the event that Newburgh is not able to make the relevant materials available by July 5, the Government will update the Court and may make a further application.

Hearing adjourned to 7/22/24. Government to produce its exhibits by 7/12/24 and the 3500 material by 7/17/24.
But at some point the hearing will have to go forward whether or not the Newburgh system remains offline.

SO ORDERED.


Cathy Seibel
CATHY SEIBEL, U.S.D.J.

6/28/24

We thank the Court for its time and consideration of this request.

Respectfully submitted,

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